REMARKS

Claims 16-25, 44-53 and 57-74 are pending. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks herein.

Claim Rejections – 35 U.S.C. §102

Claims 16-21, 44-49, 51, 57-61, 63, 66-70 and 72 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,185,821 to Yoda ("Yoda"). This rejection is respectfully traversed.

At the outset, Applicants note that each of claims 16, 44, 57 and 66 has been amended herein to include the features of performing OCR processing on data corresponding to a portion of a border region of each imaged page, processing OCR data based on scanning entire pages of an initial number of pages to determine the portion of the border region, and processing OCR data based on scanning only the portion of the border region on a subsequent number of pages. As discussed in detail below, Yoda fails to disclose or render obvious at least these features of each of claims 16, 44, 57 and 66.

Yoda provides an image data processing apparatus for managing a plurality of document images. More specifically, the data processing apparatus includes a character recognition device for recognizing a character in a predetermined area of the image data that is scanned by a scanner (Abstract). An actual current page number is determined based on the character, and it is determined whether the actual current page number is sequential with a previous page number (Abstract, and col. 3, ll. 22-30).

With particular reference to Figs. 3 and 4 of Yoda, the predetermined area is provided as a "page number area," and is determined based on operator input. More specifically, the page number area is defined based on the coordinates (Xi, Yi) of a left uppermost corner of the page number area, and the coordinates (Xe, Ye) of a right lowermost corner of the page number area (see Fig. 4, and col. 4, ll. 32-35). An operator inputs these coordinates into a register of a page number area-managing table 50 of Fig. 3. More specifically, the operator inputs the page number area coordinate values (Xi, Yi) and (Xe, Ye) into the table 50 using a keyboard 17, and

the values are displayed on a display 16 (see col. 4, ll. 48-50). If, however, the location of the page number on the page changes during scanning of the images, the page number area-managing table 50 is again displayed, and the operator inputs new coordinate values (Xi, Yi) and (Xe, Ye) corresponding to the new location of the page number (see col. 5, ll. 47-53).

In view of the foregoing, Yoda fails to disclose, or render obvious, at least the features of performing OCR processing on data corresponding to a portion of a border region of each imaged page, processing OCR data based on scanning entire pages of an initial number of pages to determine the portion of the border region, and processing OCR data based on scanning only the portion of the border region on a subsequent number of pages. As discussed in detail above, Yoda explicitly provides for the page number area to be determined based on the (Xi, Yi) and (Xe, Ye) coordinates that are input by the operator. Consequently, Yoda does not scan entire pages of an initial number of pages to determine the page number area, and does not scan only a so determined portion on a subsequent number of pages.

Yoda also fails to render such features obvious. More specifically, Yoda provides an explicit solution for determining the page number area, which solution is solely based on an operator inputting coordinates defining the page number area into a table. Further, Yoda implies that such solution is at least part of the underlying invention described therein. More specifically, Yoda describes the operator input of the coordinates when detailing the "operation of the image data processing apparatus of the invention" (see col. 4, ll. 36-37; emphasis added). Consequently, one skilled in the art would not have the requisite motivation to modify Yoda to depart from the solution already provided therein.

In view of the foregoing, reconsideration and withdrawal of the rejections of claims 16, 44, 57 and 66 are respectfully requested.

Each of claims 17-21, 45-49, 51, 58-61, 63, 65-70 and 72 ultimately depends from one of claims 16, 44, 57 and 66, which define over the asserted reference, as discussed in detail above. Consequently, each of claims 17-21, 45-49, 51, 58-61, 63, 65-70 and 72 also defines over the asserted reference for at least the same reasons. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

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Other Claim Amendments

Each of claims 23, 51, 63 and 72 have been amended in view of the amendments to each of claims 16, 44, 57 and 66, respectively. No new matter has been entered.

Allowable Subject Matter

Claims 22-25, 50, 52, 53, 62, 64, 65, 71, 73 and 74 are objected to as being dependent upon a rejected base claim. The Examiner has noted that each of claims 22-25, 50, 52, 53, 62, 64, 65, 71, 73 and 74 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Although Applicants thank the Examiner for recognizing the allowable subject matter of each of claims 22-25, 50, 52, 53, 62, 64, 65, 71, 73 and 74, Applicants have presently refrained from amending any of claims 22-25, 50, 52, 53, 62, 64, 65, 71, 73 or 74 in independent form in view of the amendments and remarks herein.

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CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

This Response is being filed with a Request for Continued Examination and Information Disclosure Statement. All fees are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 16113-1305001.

Respectfully submitted,

Date:_April 7, 2009_

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